

DETAILED ACTION

Response to Arguments

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2007 has been entered.
2. Applicant's arguments filed 1/12/2007 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, 8-18 and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al (US Patent No. 6,450,885) in view of Bocinsky, Jr. (US Patent No. 5,371,797).

As per claims 1-2, 4-6, 8-18 and 39-42, Schneier et al disclose a system and method for enabling remote players to participate in a game via a network communications system. The system and method comprise registering a player, creating a player tracking account for the player using player information derived from an account card associated with the player, the account card corresponding to a remote account unrelated to the player tracking system. Applicant is directed to column 4, lines 51-64 and column 5, lines 10-59.

The system enables participation by the player in the player tracking system using the account card subsequent to creating the player account. The player information is derived from reading encoded information from the account card. Applicant is directed to column 5, lines 10-21 and 45-57. Schneier et al further teach deriving the player information from the remote account identified by the account card and effecting electronic funds transfer from the remote account to the player tracking account. See column 4, lines 33-50 and column 5, lines 44-57.

As per claims 1-2, 4-6, 8-18 and 39-42, applicant's representative argues that Schneider et al do not anticipate the inventions of claims 1-6 and 8-18 because Schneider et al fail to teach or suggest creating a player tracking account using player information derived from an account card associated with a player thereby allowing the player to be registered with the player tracking system without requiring the payer to specify the player information used to create the player tracking account.

Applicant's representative argues that the prior art failed to teach or suggest: "receiving an account card associated with a player; "

"deriving from the account card player information regarding the player; and
"creating, based on the player information derived from the account card, a player tracking account for tracking the activities of the player in the gaming network".

As per these limitations, Bocinsky, Jr. discloses a system and method for performing secure electronic funds transfer from telephone or unsecured terminals". See the abstract. In so doing, Bocinsky, Jr. discloses:

"receiving an account card associated with a client; "

"deriving from the account card player information regarding the client; and
"creating, based on the client information derived from the account card, a client tracking account for tracking the activities of the client in the electronic funds transfer network". Applicant is directed to column 4, lines 1-59 and figure 3 of Bocinsky, Jr.

In so doing, the system and method of Bocinsky, Jr. allows a client to be registered with the transaction tracking network system without requiring the client to specify the client information used to create the client account.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Bocinsky, Jr. into the system of Schneider et al in order to allow a system to directly obtain a user's information from their credit card or social security card thus preventing a user from performing redundant entries, and thereby providing a faster means of providing personal information thereto.

As per claims 8-13, the account card of Schneier et al and/or Bocinsky, Jr. is a credit card using a card of an account type using a reading device and/or manually entering data by the player.

As per claim 14, Schneier et al provide additional services such as voice mailing and faxing system. See column 7, lines 1-2 of Schneier et al.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneier et al (US Patent No. 6,450,885) and Bocinsky, Jr. (US Patent No. 5,371,797) as applied to claim 1 above and further in view of Dorrough et al. (US Patent No. 5,287,269).

The teachings of Schneier et al and Bocinsky, Jr. et al are discussed above. As per claim 7, Schneier et al and Bocinsky, Jr. et al do not explicitly teach providing a player tracking card to the player subsequent to the player tracking account and enabling participation by the player in the player tracking system using the player tracking card.

Dorrough et al disclose a system and method for accessing events, areas and activities. In so doing Dorrough et al disclose registering a user using the user's account number and providing a tracking card to the game player. See column 7, lines 7-67 and column 9, lines 3-58 of Dorrough et al. It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Dorrough et al into Schneier et al and Bocinsky, Jr. et al in order to provide players with a tracking card for enabling players to instantly gain access to a game or control or monitor their account.

5. Claims 19-20, 22-24 and 26-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 6,645,068) in view of Bocinsky, Jr. (US Patent No. 5,371,797).

As per claims 19 and 33-37, Kelly et al disclose a game system having a network communications system for enabling users to participate remotely. See the abstract.

In so doing, Kelly et al disclose

a player tracking system in a gaming network, comprising:

a plurality of gaming machines (figure 1, elements 106);

a plurality of player tracking units associated with the gaming machines (column 7, lines 1-27);

a network interconnecting the gaming machines and player tracking units; and
a player tracking server connected to the network for managing the player tracking system by interacting with the player tracking units (column 7, lines 1-27 and column 4, lines 1-64);

wherein the player tracking system is operable to generate a player tracking account corresponding to a player (column 7, lines 1-27).

Kelly et al do not explicitly state the player tracking system generates the player tracking account corresponding to player information derived from an account card associated with the player.

Bocinsky, Jr. discloses a system and method for performing secure electronic funds transfer from telephone or unsecured terminals". See the abstract. In so doing, Bocinsky, Jr. discloses:

"receiving an account card associated with a client; "

"deriving from the account card player information regarding the client; and
"creating, based on the client information derived from the account card, a client tracking account for tracking the activities of the client in the electronic funds transfer network". Applicant is directed to column 4, lines 1-59 and figure 3 of Bocinsky, Jr.

In so doing, the system and method of Bocinsky, Jr. allows a client to be registered with the transaction tracking network system without requiring the client to specify the client information used to create the client account.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Bocinsky, Jr. into the system of Kelly et al in order to allow a system to directly obtain a user's information from their credit card or social security card thus preventing a user from performing redundant entries, and thereby providing a faster means of providing personal information thereto.

As per claims 20-24, the system of Schneier et al enable participation by the player in the player tracking system using the account card subsequent to creating the player account. The player information is derived from reading encoded information from the account card. Applicant is directed to column 5, lines 10-21 and 45-57 of Schneier et al.. Schneier et al further teach deriving the player information from the remote account identified by the account card and effecting electronic funds transfer from the remote account to the player tracking account. See column 4, lines 33-50 and column 5, lines 44-57.

As per claims 26-31, the account card of Schneier et al and Bocinsky, Jr. is a credit card using a card of an account type using a reading device and/or manually entering data by the player.

As per claim 32, Schneier et al provides additional services such as voice mailing and faxing system. See column 7, lines 1-2 of Schneier et al.

As per claims 20-24 and 26-32, the motivation to combine Kelly et al and Schenier et al would have been to ensure data integrity in the combined system.

6. Claims 25 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 6,645,068) and Bocinsky, Jr. (US Patent No. 5,371,797) in view of Dorrough et al. (US Patent No. 5,287,269).

As per claims 25 and 38, the teachings of Kelly et al and Bocinsky, Jr. are discussed above. The combination of Kelly et al and Bocinsky, Jr. do not explicitly teach providing a player tracking card to the player subsequent to the player tracking account and enabling participation by the player in the player tracking system using the player tracking card.

Dorrough et al disclose a system and method for accessing events, areas and activities. In so doing Dorrough et al disclose registering a user using the user's account number and providing a tracking card to the game player. See column 7, lines 7-67 and column 9, lines 3-58 of Dorrough et al. It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Dorrough et al into the combination of Kelly et al and Bocinsky, Jr. in order to provide players with a tracking

card for enabling players to instantly gain access to a game or control or monitor their account.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**/Frantzy Poinvil/
Primary Examiner
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